

INTRODUCTION

The right to vote can be exercised by all United States citizens in every corner of the world. Members of the military, other uniformed services, the Merchant Marine and their eligible family members and all U.S. citizens overseas are able to vote under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

The procedures and deadlines to vote absentee vary from state to state. This brochure answers frequently asked questions concerning absentee voting.

GENERAL INFORMATION

Can I vote absentee?

Generally, all U.S. citizens 18 years or older who are or will be residing outside the United States during an election period are eligible to vote absentee in any election for Federal office. In addition, all members of the Uniformed Services, their family members and members of the Merchant Marine and their family members, who are U.S. citizens, may vote absentee in Federal, state and local elections.

How do I apply for an absentee ballot?

The Federal Post Card Application (FPCA) is accepted by all states and territories as an application for registration and for absentee ballot. It is postage free when placed in the U.S. mail. You may also send a written request for a ballot to your county, city, town or parish clerk. The on-line version of the FPCA (OFPCA) is available at the Federal Voting Assistance Program's (FVAP) website, www.fvap.gov, but must be completed, printed out, signed, dated and placed in an envelope affixed with proper postage, and mailed to your Local Election Official. Please check the website to make sure that your state accepts the OFPCA.

I would like to vote but don't know how. Where can I find assistance?

Specific information on applying for absentee registration and a ballot is contained in the *Voting Assistance Guide*. Voting Assistance Officers assigned to units of military installations and at each U.S. embassy or consulate have a copy of the *Guide* to assist you in completing your FPCA. U.S. citizen organizations overseas and many corporate offices of U.S. companies also have copies of the *Guide* to assist you. Members of the Uniformed Services and U.S. embassy/consulate personnel can obtain hard copies of the *Guide* through their normal distribution channels or by contacting their Service or Department of State Voting Action Officer. Other overseas citizens can request these materials by contacting the FVAP directly at vote@fvap.ncr.gov. You can also find PDF versions of the *Guide* as well as other voting related information and links on the FVAP website, www.fvap.gov.

Do I have to be registered to vote absentee?

Registration requirements vary from state to state. States and territories allow the citizen to register and request an absentee ballot by submitting a single FPCA during the election year. If you are permanently registered you should submit an FPCA early in the election year. Consult Chapter 3 of the *Voting Assistance Guide* for specifics.

Where do I send my FPCA?

Chapter 3 of the *Guide* outlines absentee voting procedures for each state and territory. In your state or territory of legal voting residence under the heading of "Where to Send It" you will find a list of addresses for county and local election officials.

Must I submit a separate application for each election?

Any state requirement to submit a separate FPCA for each election has been superseded by recently passed Federal legislation. Public Law 107-107 provides for the submission of a single FPCA for all elections in the calendar year.

If I am required to have my FPCA or ballot notarized, how do I do it?

Generally, election materials may be witnessed or sworn to before a notary, U.S. Commissioned Officer, embassy or consular officer, or other officials authorized to administer oaths. Most states and territories do not require notarization of the FPCA or ballot; therefore, consult Chapter 3 of the *Guide* to determine your state or territory's requirements. In all instances you must sign and date the FPCA.

When mailing an FPCA or other election materials to my state or territory, do I have to pay postage?

Generally, all election-related materials are mailed postage free from any APO or FPO mail facility, all U.S. embassies and consulates and any post office in the U.S. You must pay postage if the materials are mailed from a non-U.S. postal facility. The on-line version of the FPCA must be printed out, signed, dated and mailed in an envelope with proper postage affixed.

When is the best time to apply for an absentee ballot?

Generally, the FPCA used to request only a ballot should be received by election officials at least forty-five days before election day to allow ample time to process the request and mail the ballot. If applying for both registration and an absentee ballot, the FPCA may have to be mailed earlier. FVAP recommends submitting the FPCA in January of each year. Consult Chapter 3 of the *Guide* for further information on state or territorial registration deadlines. Be sure to notify your election official of any change to your address.

When should I receive my ballot?

Under normal circumstances, most states and territories begin mailing ballots to citizens 30-45 days before an election. If you have not received your ballot two weeks

before the election, contact the Federal Voting Assistance Program's (FVAP) Ombudsman Service to assist in determining when your ballot was mailed. Always execute and return your absentee ballot regardless of when you receive it. Court decisions sometimes require the counting of ballots voted by election day, but received late. See also Federal Write-In Absentee Ballot below.

What is an election for Federal office?

An election for Federal office is any general, special, runoff or primary election held solely or in part for the purpose of selecting, nominating, or electing any candidate for the office of President, Vice President, Presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegates from the District of Columbia, Guam, Virgin Islands, and American Samoa, and Resident Commissioner of the Commonwealth of Puerto Rico.

What is the Federal Write-In Absentee Ballot (FWAB) for overseas citizens?

Overseas citizens may be able to use a Federal Write-In Absentee Ballot (FWAB) available through Voting Assistance Officers at military installations or at U.S. embassies/consulates. To be eligible for this ballot, a citizen must:

1. Be located overseas (including APO/FPO addresses).
2. Apply for a regular ballot early enough so that the request is received by the local election official at least 30 days before the election.
3. Not have received the requested regular absentee ballot.

In summary, the FWAB is only valid when a regular ballot from the state or territory has already been requested in a timely manner and has not been received. Return the voted FWAB to the local election official to meet the state or territorial deadline for counting. Presently, the states of Iowa, Montana, Oklahoma, Rhode Island, Virginia and West Virginia have expanded the use of the FWAB. Refer to Chapter 3 of the *Guide* for details.

Where would I obtain information on issues and positions taken by candidates?

In addition to reading U.S. news magazines and newspapers, both Democrats Abroad and Republicans Abroad maintain overseas offices and have information about the candidates and issues. U.S. embassies and consulates can provide the local addresses or phone numbers for these organizations. Alternatively, the party organizations can be contacted by writing:

Andrew Goldberg
Executive Director Democrats Abroad
430 S. Capitol Street, SE
Washington, DC 20003

E-mail: GoldbergA@dnc.democrats.org

Republicans Abroad International
209 Pennsylvania Avenue, S.E.
Washington, D.C. 20003

E-mail: republicansai@mindspring.com

Where can I find information on state and local issues while overseas?

Surf the Web for information! Alternatively, subscribe to hometown newspapers, or contact friends and relatives for information on state and local issues. Armed Forces Radio and Television Service broadcasts American news and entertainment programs throughout the world. Also, the DoD Voting Information Center (VIC) provides an avenue for information on candidates for citizens voting under the UOCAVA. See below.

MILITARY

Where is my "legal voting residence?"

For voting purposes, your "legal voting residence" can be the state or territory where you last resided prior to entering military service or the state or territory that you have since claimed as your legal residence. To claim a new legal residence you must have simultaneous physical presence and the intent to return to that location as your primary residence. Military and family members may change their legal residence every time they change permanent duty stations or they may retain their legal residence without change. Family members may have a different legal voting residence from the member. A legal officer should be consulted before legal residence is changed because there are usually other factors that should be considered besides voting. Be sure to enter the complete address of your legal voting residence, including street or rural route and number, when completing the residence section of the FPCA. Even though you may no longer maintain formal ties such as property ownership to that residence, the address is needed to place you in a proper voting district, ward, precinct or parish.

Can I vote in person where I am stationed?

Military members may vote in the state or territory where stationed if they change their legal residence to that state or territory, even if they live on a military installation. Be advised that there are legal obligations that may be incurred, such as taxation, if you change your state or territory of residence. Therefore, consult a legal officer before making such a decision. At the present time, there are no provisions for personnel stationed outside the United States to vote, in person, where stationed.

My family members are not in the military; can they also vote absentee?

The law entitles eligible family members of military personnel to vote absentee. Family members are considered to be in the same category of absentee voter as military members and generally should follow the same procedures. Family members of military personnel residing overseas, who are U.S. citizens and who have never resided in the U.S., usually claim a U. S. citizen parent's legal state of residence as their own.

OVERSEAS CITIZENS

If I do not maintain a legal residence in the U.S., what is my "legal state of residence?"

Your "legal state of residence" for voting purposes is the state or territory where you last resided immediately prior to your departure from the United States. This right extends to overseas citizens even though they may not have property or other ties in their last state or territory of residence and their intent to return to that state or territory may be uncertain. When completing the residence section of the FPCA, be sure to enter the entire mailing address of your last residence, including street or rural route and number. This information is necessary to place you in the proper voting district, ward, precinct or parish. Family members of citizens residing overseas, who are U.S. citizens and who have never resided in the U.S., usually, if the state allows, claim one of their U.S. citizen parent's legal state or territory of residence as their own. Check Chapter 3 of the *Guide*.

Will I be taxed by my last state or territory of residence if I vote absentee?

Exercising your right to vote in elections for **Federal offices only**, does not affect the determination of residence or domicile for purposes of any tax imposed under Federal, state, or local law. Voting in an election for **Federal office only**, may not be used as the sole basis to determine residency for the purpose of imposing state and local taxes. If you claim a particular state or territory as your residence and have other ties with that state or territory in addition to voting, then you may be liable for state and local taxation, depending upon the laws of that particular state or territory. Consult the *Guide* or a legal advisor for information on probable tax obligations.

Can I register or vote in person at the embassy or consulate?

At the present time, there are no provisions for in person voting or on-site registration to be conducted at U.S. embassies or consulates. U.S. embassy and consular officials will assist U.S. citizens in completing FPCA forms for their state, witness or notarize FPCA forms and ballots (if required), and provide other absentee voting information. U.S. embassy and consulate locations serve also as a mailing point where FPCA forms and other election materials may be mailed back, postage paid, to your local voting jurisdiction in the U.S. where absentee registration and ballot requests are processed.

THE FVAP'S WEBSITE

The FVAP website, www.fvap.gov, is home to a variety of information about voting and elections. The information is updated regularly. Answers to almost any voting related question can be found 24 hours a day, seven days a week just by accessing the website. The website contains general information on absentee voting, including a list of frequently asked questions, and training schedules for voting assistance officers during federal election years. The on-line version of the *Voting Assistance Guide* contains up to date information for state-by-state registration and absentee ballot request procedures. Also, available on the website is the on-line version of the FPCA, a convenient alternative, which is accepted by almost all the states and the District of Columbia. All FVAP publications, including News Releases and archived issues of the monthly *Voting Information Newsletter* can be found on the site. The website also contains links to many voting related sites, including all state elections sites, which provide information about upcoming elections, and links to U.S. Senate and U.S. House of Representatives.

OMBUDSMAN SERVICE

Citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act* can obtain further information about the absentee voting process by calling the FVAP toll free from many countries. The number may vary from country to country. (You can obtain the number from the *Voting Assistance Guide*, the FVAP's website, www.fvap.gov, the International Operator in the United States, or from your local U. S. embassy or consulate). If a country does not have a toll free number, a citizen may call (703) 588-1584. The toll free number in the U.S., Canada and territories is 800-438-VOTE or 800-438-8683. Assistance is available during normal business hours, Eastern Time; you may leave a recorded message with complete contact information at other times.

ELECTRONIC TRANSMISSION OF ELECTION MATERIALS

Often, transmitting voting materials by mail may delay timely receipt and return of materials. When such conditions exist, possibly preventing an individual from voting, faxing may be possible. Generally, there are three possibilities or combinations allowed by states:

1. *Send the FPCA or registration and ballot request by fax.*
2. *Receive the blank ballot by fax.*
3. *Return the voted ballot by fax.*

Consult your unit or embassy/consulate Voting Assistance Officer for the procedures for the electronic transmission process. The *Voting Assistance Guide* explains the fax

process and each state's procedures. Always mail the original FPCA and voted ballot after faxing.

For election-related materials, please use one of the following fax numbers: (703) 693-5527, (800) 368-8683 or DSN 223-5527.

VOTING INFORMATION CENTER

The Voting Information Center (VIC) provides information on elections and recorded messages from U.S. Senators, U.S. Representatives and state Governors. Approximately thirty days prior to an election, messages from candidates for these offices are also available. Callers may connect directly to the office of U.S. Senators, U.S. Representative, Governor or their chief state election official through the VIC.

Any questions that cannot be answered locally, concerning voting, elections or candidates, may be referred to the VIC.

Each Military Service and the Department of State has a Voting Action Officer who is the point of contact for assisting voters who have unique questions/problems. The VIC also provides direct access to these Action Officers during normal business hours in the U.S.; a recorded message may be left at other times.

Any person may call the Voting Information Center. Telephone: Commercial- (703) 588-1343 (Collect calls not accepted), DSN- 425-1343. DSN use authorized for all military and family members. Toll-free numbers are available for over 50 countries.

The *Voting Assistance Guide* contains further information on the Voting Information Center and access by toll free numbers.

Any question which cannot be answered by a Voting Assistance Officer should be directed to the:

Director, Federal Voting Assistance Program
Department of Defense
Washington Headquarters Services
1155 Defense Pentagon
Washington, DC 20301-1155
Fax: (703) 588-0108
www.fvap.gov
vote@fvap.ncr.gov

VOTING IS VICTORY!



How
To
Do
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Absentee

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